

REMARKS

If the Examiner exercises his discretion pursuant Rule 116(b) then the claims now in the case are 38 - 54.

CLAIM REJECTIONS - 35 U.S.C. § 112

1. The Examiner rejects claim 28 as being indefinite. Applicant respectfully submits this is a result of a misinterpretation of the words "at least". The words "at least" is intended in its broad sense, defined as "one or more". It does not limit the claim to any specific number above one. The word "each" likewise refers to the alternative and respective possible compression chambers. This definition encompasses every mention of these words in this application. Claim 28 is now removed.

CLAIM REJECTIONS - 35 U.S.C. §102

2. In response to the Examiner's rejection herein applicant has clarified by the use of the word "compartment" the intention of narrowing of the element of the claims in question. It appears that the Examiner has misinterpreted the use of the word "ceiling" to include the floor in the compartment above it. Each "compartment" is now distinct.

3. The Examiner's suggestion that Ryczek anticipates applicant's limitation of a ceiling stored airbag is belied by the fact that Ryczek placed his airbag contraption upon the floor of the lowest compartments in his illustrations/drawings. So situated the airbag

Storage canisters become obstacles and hinderances to the everyday purposes of the vessels, that is to transport cargo, passengers, etc. Applicant's invention with the ceiling mounted airbags on the otherhand would form absolutely no hinderance to any cargo within the compartments of its vessel.

However applicant's invention superiority over Ryczek's is not simply a matter of convenience, but is also distinguishable by being superior in how it accomplishes its result.

As Ryczek's vessel does not claim water-tight sealants in the doors or other entrances into the compartments of his vessel it can be presumed in the event of a rupture to the hull and activation of his invention water will

ultimately flow into adjoining compartments throughout the vessel and his airbags would have to support and resist the significant weight of the vessel; whether or not they could indeed do so without tearing from its foundation is a dubious confidence at best. The water would tend to pop-off the airbags like bottle caps on a soda bottle, especially given the bulbous design of his bags. Applicant can not believe that Ryczek's means of securing the airbag lip to its base could withstand such enormous pressures and his specification and claims are devoid of any pertinent information to clarify the question. It appears from his drawings to be secured or tied by some sort of string or

ring fasteners and as such applicant is absolutely certain it could not withstand the pressures of a multi-ton sinking vessel.

Moreover, although not shown in applicant's drawings the "at least one inflatable airbag" in his claims encompasses and protects (and applicant's intention is to implement such as his invention) multiple rod-like airbags inflating from the ceiling of its compartment which would secure a larger area of displacement for the airbag's purpose than Ryczek's concept. One must realize these compartments will not be empty, but contains cargo, perhaps furniture and other permanent fixtures. Applicant's invention is superior to Ryczek's in this respect as well.

It is applicant's opinion that the Examiner in Ryczek's patent application should have rejected his patent application in its entirety as lacking utility because of inoperability due to the somewhat primitive technology at the time of his application, and Ryczek's own inadequate disclosure not addressing this very serious obstacle. Applicant however is living in an era where such things are not insurmountable and the very fact that the airbags in applicant's concept inflates from the ceiling serves as a buffer against this inherent flaw and weakness of Ryczek's concept, whereas the rising water level when encountering the inflating airbag will only serve to push the

airbag back into the very ceiling it is inflating from which would actually benefit the airbag's purposes by providing a firm base upon which to rest and support itself against the pressures of the rising water and to push back against it driving the water back out of the rupture from which it entered. To grant Ryczek priority over applicant's invention would amount to the equivalent to affording him a patent of an "idea", which, as I am told, the patent laws can not presently do. Applicant would request Ryczek's patent be invalidated for lacking utility and applicant be granted priority of this concept.

CLAIM REJECTIONS-35 U.S.C. § 103

4. FOR the reasons stated above applicant

respectfully requests the Examiner reconsider the rejections in sentences 6-9.

5. Concerning sentence 6 of the Examiner's rejection, applicant submits that his attorney did not supply enough information concerning the "controlled expansion" aspect of the diameter tracks perhaps resulting in misinformation. The diameter-tracks provide resistance to the bags from freely expanding to the hull walls. Tuffier's tracks provide no resistance to the inflating bag, rather performing more as a guide for the bag's expansion. Although the guiding function is consequently inherent in applicant's track as well, it is merely a collateral advantageous function. The gist of the "controlled expansion"

function of applicant's tracks purport is to permit the crew to expand the bag completely within the confines of the relaxed slots desired, for example sufficient to stay afloat, yet not so far as to inflate the airbag into the protruding jagged edges of the rupture, so as to rerupture the airbag. Tuffier's tracks could not accomplish this.

b. Concerning sentence 8 of the Examiner's rejection, applicant suggests that it would not have been obvious to a person having ordinary skill in the art to provide Ryczek's invention with an overlapping impeller blade(s) air compressor, because it is actually an inefficient means of obtaining compression

of a large pressure. The Examiner's cite of Day's compressor does not remotely resemble applicant's compressor, which is instead more akin to a roots-style automobile blower type compressor, hence pressurization is obtained differently. Applicant's compressor would thus have minute spaces between the ends of impellers blades and the casing wall that would unavoidably allow some of the pressurized air to escape. However, because the impellers design draws a larger volume of air into itself with each revolution of its impellers than can possibly escape through the sides pressurization is created. It is applicant's intention to provide a second piston-type compressor to accumulate the larger pressures that would be needed

to fully inflate the airbags and to drive the water back out through the rupture, or the heating elements can also be used for this purpose. The compressor at issue sole purpose is to introduce a larger quantity of air into the airbags faster than conventional piston-type air compressors could possibly do, as the initial inflation is unobstructed by the back pressures of the rising water and its inherent pressure this can be easily effectuated. Hence applicant contends it would not have been obvious to a person having ordinary skill in the art because even if they considered it (and I don't think they would) they would have readily rejected the concept not thinking to combine a piston-type air compressor or heating elements

to repair the inherent deficiencies and inefficiency of utilizing a compressor customarily used in automotive settings to inflate an airbag for the purposes of rendering a vessel unsinkable. This compressor is actually the poorest example to utilize in rendering a multi-ton vessel unsinkable.

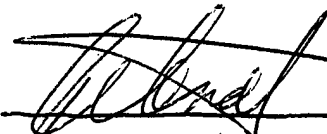
Further, applicant is not attempting to repatent the compressor, rather its new use in inflating airbags to render a vessel unsinkable. It may seem obvious in hindsight, because we see so much clearly in hindsight and also because of the blatancy of its simplicity. Applicant has found in his inventive endeavors often simple things because of their simplicity are overlooked by egotistical professionals that view such things

vulgar and beneath them and it is this perception that the applicant capitalizes upon and conceives of innovations that can radically change the World.

7. Concerning sentence 9 of the Examiner's rejection, applicant submits for the reasons stated in sentences 3 (concerning Ryczek's unpotentable invention for lack of operability) and 6 above the Examiner should reconsider this rejection.

8. In addition to the ceiling mounted limitation of the airbags in claim 20 now claim 38, the compression chamber has now been eliminated.

WHEREFORE applicant prays for all the above-mentioned reasons he be issued a patent in this proceeding.


Applicant - INVENTOR

CERTIFICATE OF MAILING

I hereby certify that this correspondence and attachments, if any, will be deposited with the United States Postal Service by First Class Mail, postage prepaid, in an envelope addressed to "MR. Sherman Basinger, Patent Examiner, Box AF, Commissioner of Patents, Washington, D.C. 20231" on the date below. [Note: earlier mailing of 2/13/03, was inadvertently returned to applicant by facility staff correspondence unit; 2/16/03 is on a Sunday and 2/17/03 is a National holiday; thus delay should be excusable to meet 2/16/03 one month deadline of Office Action.]

Dated: 2/18/03 Inventor's Signature: 